

M e m o r a n d u m

Date: May 13, 1999

To: CALFED Policy Group

From: Lester A. Snow



Subject: Proposed Process for Agency Review of MOA Regarding CWA Sec. 404 Compliance

CALFED agencies have proposed a Memorandum of Agreement among the Corps, USEPA, and other appropriate CALFED agencies describing a strategy for programmatic compliance with Clean Water Act Section 404. Staff from the Corps, USEPA, the California Attorney General, and CALFED are currently drafting this MOA. A first partial draft of the MOA, with several "placeholder" sections yet to be completed, is attached for your review.

We propose the following actions with respect to the draft MOA:

1. Include a general description of the MOA in the Revised Phase II Report, similar to the description contained in the December 1998 Phase II Report. The draft MOA itself would not appear in the Phase II Report or the revised draft EIS/EIR.
2. Provide CALFED agencies with a comment period ending **May 24** to voice concerns over the *structure and general approach* of the draft MOA. Communicate any concerns on the MOA to Rick Soehren.
3. Upon CALFED agency concurrence with the structure and general approach, schedule a meeting with stakeholders to solicit initial reaction to the draft MOA.
4. Continue agency meetings to discuss and develop content of the MOA, culminating in completion of the MOA by January 2000.

Attachment

CALFED Agencies

California
The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal
Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service